

The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA)	
)	NO. CR04-5337RBL
Plaintiff,)	
)	ORDER CONTINUING TRIAL
vs.)	DATE
)	
CARLOS ORTUNO RIVAS,)	
)	
Defendant.)	

THIS MATTER comes on before the Court on the motion to continue the trial date raised by counsel for defendant CARLOS ORTUNO RIVAS. The defendant's counsel having agreed to the continuance as well as counsel for the government, the court finds that:

1. The trial in this matter is scheduled for September 19, 2005, at 9:00 a.m. The pretrial cut off date was set had passed at the time of appointment of new counsel.

2. Discovery was not received until August 31, 2005, there is a need for substantial investigation. Counsel will need time to prepare for trial and the Government's counsel agrees that to be adequately prepared, the trial date and the pre-trial motions date and conference dates should be extended.

3. The defendant understands that to be adequately represented that a continuance is

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necessary.

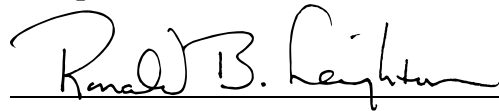
4. The government consents to the continuance.

5. The ends of justice outweigh the best interests of the public and the defendant to a speedy trial. Failure to grant the continuance would deny counsel for Defendant's adequate time to effectively prepare for trial.

For all the foregoing reasons, IT IS HEREBY ORDERED that the trial date is continued from September 19, 2005 to **DECEMBER 12, 2005 at 9:30 a.m.**

It is further ORDERED that the pre-trial motion cutoff date is now **October 17, 2005** and the Pretrial Conference date is now scheduled for **DECEMBER 6, 2005 at 9:00 a.m.**

IT IS SO ORDERED this 9th day of September, 2005.

A handwritten signature in black ink, reading "Ronald B. Leighton", written over a horizontal line.

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE
Digitally signed upon oral authorization (JAB)

Presented by: _____
ROGER A. HUNKO
ATTORNEY FOR Carlos Ortuno-Rivas

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